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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,379	01/09/2004	Takeyuki Amari	50195-409	6081
7590	09/06/2006			EXAMINER LUI, DONNA V
McDERMOTT, WILL & EMERY 600 13th Street, N.W. Washington, DC 20005-3096			ART UNIT 2629	PAPER NUMBER

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/753,379	AMARI ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Donna V. Lui	2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 February 2006.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-5 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-5 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 09 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/13/06; 1/9/04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Inventorship***

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
4. **Claims 1, 2, 4, and 5** are rejected under 35 U.S.C. 102(e) as being anticipated by Goldenberg et al. (Patent No.: US 6,636,197 B1).

With respect to Claim 1, Goldenberg teaches a vehicular dialogue interface comprising: a display (*See figure 1, element 14; column 3, line 66 to column 4, line 4*); and a centralized commander comprising a first switch (*rotation of the knob in a clockwise direction*) operable for an inching scan on the display in a first direction (*moving the cursor down the list; column 15, line 64 to column 16, line 1; note that inching is equivalent to the selection cursor moving from item to item on the display*), and a second switch (*rotation of the knob in a counterclockwise direction*) operable for a traverse scan on the display in a second direction different from the first direction (*moving the cursor up the list; column 15, line 64 to column 16, line 2*).

With respect to Claim 2, Goldenberg teaches a vehicular dialogue interface according to claim 1, wherein the centralized commander further comprises a decision switch (*column 6, lines 40-43*).

With respect to Claim 4, Goldenberg teaches a vehicular dialogue interface according to claim 1, wherein the first switch is eight-directional (*column 6, lines 12-14; note that since the knob travels laterally from the center position in each of the eight directions, then a full rotation of the knob in the clockwise direction is equivalent to the first switch being eight-directional*).

With respect to Claim 5, Goldenberg teaches a vehicular dialogue interface according to claim 1, wherein the display has a GUI element relative to a configuration of the second switch (*column 7, line 52 to column 8, line 8; column 9, lines 40-54; note that since the elements 88, 90, 82, 92, 94, 96, 98, 84, 100, 102, 104, 106 shown in figure 2 are for permitting functionality of the*

*knob then the sensor interface is equivalent to the GUI element relative to a configuration of the second switch).*

5. **Claims 1 and 3** are rejected under 35 U.S.C. 102(e) as being anticipated by Nishiyama (Patent No.: US 7,019,731 B2).

With respect to **Claim 1**, Nishiyama teaches a vehicular dialogue interface (*column 5, lines 47-52*) comprising: a display (*See figure 1, element Ta*); and a centralized commander comprising a first switch (*See figure 3; the first switch comprises key “2” and key “8”*) operable for an inching scan on the display in a first direction (*column 7, line 51 and lines 54-55; note that the direction is scrolling from top to bottom or vice versa on the display*), and a second switch (*See figure 3; the second switch comprises key “4” and key “6”*) operable for a traverse scan on the display in a second direction different from the first direction (*column 7, lines 52-53; note that the direction is scrolling from left to right or vice versa on the display*).

With respect to **Claim 3**, Nishiyama teaches a vehicular dialogue interface according to claim 1, wherein the first direction is perpendicular to the second direction (*See figure 3, note that the scrolling direction of keys “2” and “8” are perpendicular to the scrolling direction of keys “4” and “6”; column 7, lines 51-55*).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donna V. Lui whose telephone number is (571) 272-4920. The examiner can normally be reached on Monday through Friday 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571)272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Donna V Lui  
Examiner  
Art Unit 2629

AMR A. AWAD  
PRIMARY EXAMINER

